

CLOSED

**U.S. District Court
Southern District of Florida (Ft Lauderdale)
CRIMINAL DOCKET FOR CASE #: 0:22-mj-06296-AOV-1**

Case title: USA v. Nezat

Date Filed: 06/14/2022

Date Terminated: 06/15/2022

Assigned to: Magistrate Judge
Alicia O. Valle

Defendant (1)

Seth Nezat

TERMINATED: 06/15/2022

represented by **Noticing FPD-FTL**

(954) 356-7436

Email: ftl_ecf@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

18:1962-4999.F. Racketeer
Influenced and Corrupt
Organizations

Disposition

Plaintiff

USA

represented by **Noticing AUSA CR TP/SR**

Email: Usafls.transferprob@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Page	Docket Text
06/14/2022	<u>1</u>		Magistrate Removal of Violation of Conditions of Release from Southern Ohio Case number in the other District 1:18–Cr–109–DRC as to Seth Nezat (1). (tpl) (Entered: 06/14/2022)
06/14/2022			Set/Reset Hearings as to Seth Nezat: Initial Appearance Revocation – Rule 5(c)(3)/40– set for 6/15/2022 11:00 AM in Fort Lauderdale Division before FTL Duty Magistrate. (tpl) (Entered: 06/14/2022)
06/15/2022	<u>2</u>		Minute Order for proceedings held before Magistrate Judge Alicia O. Valle: Initial Appearance in Rule 5(c)(3)/Rule 40 Proceedings as to Seth Nezat held on 6/15/2022. Date of Arrest or Surrender: 6/15/22. Defendant signed Waiver of Removal. No bond set in this district. The Court entered the Commitment To Another District. Attorney added: Noticing FPD–FTL for Seth Nezat. Juan Michelen in court. (Digital 11:22:45) Signed by Magistrate Judge Alicia O. Valle on 6/15/2022. (tw) (Entered: 06/15/2022)
06/15/2022	<u>3</u>		WAIVER of Rule 5(c)(3)/Rule 40 Hearing, by Seth Nezat. (tw) (Entered: 06/15/2022)
06/15/2022	<u>4</u>		COMMITMENT TO ANOTHER DISTRICT as to Seth Nezat. Defendant committed to District of Southern Ohio. Closing Case for Defendant. Signed by Magistrate Judge Alicia O. Valle on 6/15/2022. <i>See attached document for full details.</i> (tw) (Entered: 06/15/2022)

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America
v.

Seth Nezat

Defendant

Case No. 1:18-cr-109-12

Our case 22-6296-ADV

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Seth Nezat

who is accused of an offense or violation based on the following document filed with the court:

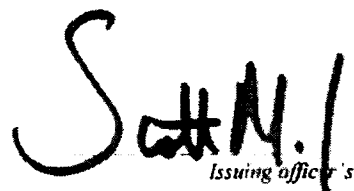

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☒ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

See Attached

Date: 3/11/22

City and state: Cincinnati, Ohio


Issuing officer's signature
Richard W. Nagel, Clerk, U.S. District Court
Printed name and title


Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date: _____

Arresting officer's signature

Printed name and title

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

United States of America

v.

Case No. 1:18-cr-109

SETH NEZAT (12)

Defendant

ARREST WARRANT


To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Seth Nezat,
who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☒ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

See Petition

Date: 05/04/2020

 Issuing officer's signature
City and state: Cincinnati, OhioRichard W. Nagel, Clerk, U.S. District Court

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date: _____


 Arresting officer's signature

Printed name and title

**United States District Court
for
Southern District of Ohio
Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: **Seth Nezat**

Case Number: **1:18-CR-109-12**

Name of Sentencing Judicial Officer: **The Honorable Douglas R. Cole,
United States District Judge**

Date of Original Sentence: **November 1, 2021**

Original Offense: **Racketeer Influenced and Corrupt
Organizations, in violation of 18 U.S.C. § 1962(d)**

Original Sentence: **Time Served, 3 years supervised release**

Type of Supervision: **Supervised Release** Date Supervision Commenced: **November 5, 2021**

Assistant U.S. Attorney: **Matthew Singer**

Defense Attorney: **Jay Clark**

PETITIONING THE COURT

- ☒ To issue a warrant –AT LARGE (home address unknown)
☐ To issue a Summons
☐ To grant an exception to revocation without a hearing

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1.	Standard Condition 2

After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

On or about January 31, 2022, Nezat moved from his approved residence at 5621 Northeast 22nd Ave., Fort Lauderdale, Florida, 33308, and his whereabouts are unknown.

2. Special Condition 3

Shall participate in drug and/or alcohol treatment, at the discretion of his probation officer. The defendant shall pay a co-pay for the treatment not to exceed \$25, based on his ability to pay, as determined by his probation officer.

On or about February 16, 2022, Nezat failed to attend his scheduled appointment with Compass Health Systems Inc. as required, and to date, has not satisfactorily participated in treatment as directed by the Court and monitored by the U.S. Probation Officer.

PROB 12C
(12/98)
Re: Nezat, Seth

2

3. Special Condition 4

Must submit to substance abuse testing to determine if he has used a prohibited substance. The defendant must not attempt to obstruct or tamper with the testing methods.

On February 17, 2022, Nezat failed to submit to drug testing as scheduled by Code-A-Phone.

U.S. Probation Officer Recommendation: In view of the fact that Nezat has left his last reported residence without reporting his new address and is not answering calls or returning messages from his officer and because all attempts to locate him have been exhausted, this officer respectfully recommends that a warrant be issued for his arrest so that he may be brought before the Court for a revocation proceeding.

The term of supervision should be

- ☒ Revoked
- ☐ Extended for --- years, for a total term of --- years
- ☐ Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
- ☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

Shawn P. Donoho

Shawn P. Donoho
Senior U. S. Probation Officer
Date: March 11, 2022

Approved,

G.R.F.

Gregory Freson
Supervising U. S. Probation Officer
Date: March 11, 2022

PROB 12C
(12/98)
Re: Nezat, Seth

3

THE COURT ORDERS:

- ☐ No Action
- ☒ The Court finds that there is probable cause to believe the defendant has violated the conditions of his supervised release and orders the Issuance of a Warrant for his arrest.
- ☐ The Issuance of a Summons
- ☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
- ☐ Other

The signed Probation Form 12C (Petition for Action), as well as the warrant for arrest, is to be filed under seal in the Electronic Case File (ECF) system until such time as the warrant is executed.



Signature of Judicial Officer

3/11/22

Date

COURT MINUTES/ORDER**United States Magistrate Judge Alicia O. Valle****Courtroom 310****Date: 6/15/2022 Time: 11:00 a.m.**Defendant: Seth Nezat(J) J#: 19691-104 Case #: 22-6296-AOVAUSA: Bruce BrownAttorney: Juan Michelen, AFPDViolation: Supervised Release ViolationProceeding: Initial Appearance Violation-Rule 40/5

CJA Appt: _____

Bond/PTD Held: ☒ Yes ☒ NoRecommended Bond: No Bond

Bond Set at: _____

Co-signed by: _____

☐ Surrender and/or do not obtain passports/travel docsLanguage: English☐ _____ x's a week/month by
phone: _____ x's a week/month in person☐ Random urine testing by Pretrial Services _____
Treatment as deemed necessary☐ Refrain from excessive use of alcohol☐ Participate in mental health assessment & treatment☐ Maintain or seek full-time employment/education☐ No contact with victims/witnesses☐ No firearms☐ Not to encumber property☐ May not visit transportation establishments☐ Home Confinement/Electronic Monitoring and/or
Curfew _____ pm to _____ am, paid by _____☐ Allowances: Medical needs, court appearances, attorney visits,
religious, employment☐ Travel extended to: _____☐ Other: _____

Disposition:

Defendant present.
Probation officer Norma
Martinez present.
Defendant advised of
rights and charges.
Defendant sworn and testified
Re Indigency. AFPD appointed
Defendant waives identity
removal, and bond hearing
and defers until he is in
the Southern District of
Ohio.

NEXT COURT APPEARANCE**Date:** _____**Time:** _____**Judge:** _____**Place:** _____

Report RE Counsel: _____

PTD/Bond Hearing: _____

Prelim/Arraign or Removal: _____

Status Conference RE: _____

D.A.R. 11:22:45Time in Court: 13 mins

CHECK IF APPLICABLE: _____ For the reasons stated by counsel for the Defendant and finding that the ends of justice served by granting the ore tenus motion for continuance to hire counsel outweigh the best interests of the public & the Defendant in a Speedy Trial, the Court finds that the period of time from today, through and including _____, shall be deemed excludable in accordance with the provisions of the Speedy Trial Act, 18 USC 3161 et seq..

5

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No: 22-MJ-6296-AOV

United States of America
Plaintiff,

v.

Seth Nezat
Defendant,

Charging District's Case No. 1:18-Cr-109-DRC

WAIVER OF RULE 5 & 5.1 REMOVAL/IDENTITY HEARINGS

I understand that I have been charged in another district, the Southern District of Ohio.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my rights to: **(check those that apply)**

- ☐ An identity hearing and production of the warrant.
- ☐ A preliminary hearing.
- ☒ A detention hearing in the Southern District of Florida.
- ☒ An identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled to in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 6/15/2022



Defendant's Signature



Alicia O. Valle
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

SOUTHERN

District of

FLORIDA

UNITED STATES OF AMERICA

vs.

COMMITMENT TO ANOTHER
DISTRICT

Seth Nezat

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

Southern Ohio

1:18-Cr-109-DC

SOUTHERN DISTRICT OF
FLORIDA

22-MJ-6296-AOV

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

Indictment

☐ Information☐ Complaint☒ PETITION

charging a violation of

Supervised Release
Violation

DISTRICT OF OFFENSE:

SOUTHERN DISTRICT OF OHIO

CURRENT BOND STATUS:



Bail fixed at

and conditions were not met



Government moved for detention and defendant detained after hearing in District of Arrest



Government moved for detention and defendant detained pending detention hearing in District of Offense

Other (specify)

Representation: ☒ Retained Own Counsel

Federal Defender Organization

☐ CJA Attorney☐ NoneInterpreter Required? ☒ No

Yes Language: ENGLISH

SOUTHERN DISTRICT OF FLORIDA

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

6/15/2022
Date

Alvin P. Valle
United States Judge or Magistrate Judge

RETURN

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL